

**REMARKS**

Entry of this amendment in accordance with the provisions of 37 CFR § 1.114 is respectfully requested.

Appreciation is expressed to Examiner Hung Ngo for his courtesy and helpfulness during a telephone interview conducted in this matter on July 21, 2003. During this interview, support in the specification and drawings for the claim limitation question in the 35 U.S.C. § 112, first paragraph, rejection set forth in the Final Office Action dated November 20, 2002 was discussed. Specifically, the undersigned attorney pointed out the support for this claim language in page 1 of the specification and in Figs. 2(b) and 2(c). Examiner Ngo indicated that he would consider this with regard to the rejection of the 35 U.S.C. § 112, first paragraph, rejection after receipt of this amendment and the detailed discussion set forth below.

The amending of claim 21 in the manner present herein was also discussed. During the course of the discussion Examiner Ngo indicated that he would not permit entry of this Amendment After Final Rejection since it broadened the claim language and, accordingly, would raise further considerations and the possibility of a new search. Accordingly, in light of this indication that the Amendment would not be entered after Final Rejection, the present RCE has been filed.

By the present amendment, claims 1 and 4-7 have been cancelled, without prejudice, so that the issues of the present application can be focused on claims 21-27 and newly presented claim 28. Also by the present amendment, claim 21 has been slightly broadened to define that the electronic element (for example, a flip chip such as 17 shown in Fig. 2(c)) is stored in said cavity without being in direct physical contact with the cover member (e.g. numeral 22 in Fig. 2(c)) or the frame member (e.g. numeral 20 in Fig. 2(c)). New claim 28 has been added to define the further

limitation that the electronic element is stored in the cavity without being in direct contact with the substrate (e.g. numeral 2 in Fig. 2(c)).

In response to the 35 U.S.C. § 112, first paragraph, rejection set forth in the final Office Action dated November 20, 2002, Applicants respectfully request reconsideration. In the Office Action, it is stated that the negative limitation set forth in claim 21, lines 13-15 (that is, that the cover member, frame member and substrate form a hermetically sealed space in which the electronic element is stored in the cavity without being in direct physical contact with the cover member or the frame member (or the substrate in the unamended claim 21) is not disclosed in the specification. In response to this, Applicants respectfully submit that this limitation is, in fact, specifically stated on page 1, lines 16 et seq. of the original specification which sets forth :

"For sealing such the electronic element within the electronic part case, the element must be mounted and hermetically sealed within it, so that it has no contact with members constructing the case."

Beyond this, the illustration set forth in Figs. 2(b) and 2(c) clearly shows the flip chip 17 located within the cavity 25 without being in direct physical contact with any of the cover layer 22, the frame member 20 or the substrate 2. Therefore, it is respectfully submitted that between the description set forth on page 1 and the illustration provided by Figs. 2(b) and 2(c), the specification does, in fact, clearly provide support for the negative limitation set forth in claim 21, and reconsideration and removal of the 35 U.S.C. § 112, first paragraph, rejection regarding this is respectfully requested.

With regard to the other rejections set forth in the Final Office Action dated November 22, 2002, Applicants are in the process of preparing further comments concerning this point. Accordingly, if these further comments have not been

correlated with the file at the time the Examiner takes this cause up for examination, it is requested that the Examiner contact Applicants' undersigned attorney at the number indicated below to determine the status of this matter. Applicants and the undersigned attorney greatly appreciate the Examiner's courtesy and assistance in this regard.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The changes are shown on the attached pages, the first page of which is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 520.40395X00), and please credit any excess fees to such Deposit Account.

FAX RECEIVED

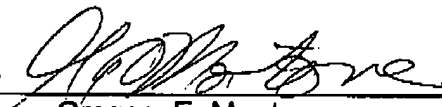
JUL 21 2003

TECHNOLOGY CENTER 2800

Respectfully submitted,

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**ATTACHMENT****VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE CLAIMS:**

Please amend claim 21 as follows:

21. An electronic device, comprising:

a substrate of insulating resin having at least a pair of interior terminal portions for connection upon an upper surface thereof;

an electronic element mounted on the terminal portions on the upper surface of said substrate, having at least a pair of electrode terminals thereof;

a frame member of insulating resin, bonded on the upper surface of said substrate, and having a cavity formed to store said electronic element therein; and

a cover member to hermetically seal over the cavity of said frame member, in which said electronic element is stored, wherein electrodes are formed at or in vicinity of positions of the terminals of said electronic element stored within said cavity, to electrically conduct said interior terminal portions for connection to outside said electronic device, wherein said cover member, said frame member and said substrate form a hermetically sealed space in which said electronic element is stored in said cavity without being in direct physical contact with ~~any of the cover member,~~ or the frame member or the substrate.